

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Dorothy E. Murphy
Debtor(s)

Bankruptcy Case No.: 16-20430-JAD
Per August 25, 2016 proceeding
Chapter: 13
Docket No.: 39 – 19, 35, 37
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 15, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: A fee application is needed if any fee, including retainer, exceeds \$4,000, including any fees paid to prior counsel.

Plan must remain 100%.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 31, 2016

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Dorothy E. Murphy
 Debtor

Case No. 16-20430-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
 Form ID: 149

Page 1 of 2
 Total Noticed: 32

Date Rcvd: Aug 31, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2016.

db +Dorothy E. Murphy, 252 Knickerbocker Drive, Pittsburgh, PA 15235-4727
 cr Springleaf Financial Services of Pennsylvania, Inc, c/o Craig H. Fox, Esquire,
 Fox and Fox Attorneys at Law, P.C., One Montgomery Plaza, Suite 706, 425 Swede Street,
 Norristown, PA 19401
 14176644 +Advanced Disposal, PO Box 74008047, Chicago, IL 60674-8047
 14176645 +Barclaycard Services, PO Box 13337, Philadelphia, PA 19101-3337
 14176646 +Best Buy/Citibank, PO Box 9001007, Louisville, KY 40290-1007
 14187663 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14176647 +Capital One Bank NA, PO Box 71083, Charlotte, NC 28272-1083
 14176648 +Chase Freedom, PO Box 15153, Wilmington, DE 19886-5153
 14176650 +Claire Fujishima, 15827 Manhattan Place, Gardena, CA 90247-3648
 14243483 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14176653 +KML Law Group PC, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
 14176652 +Karen Luffe, 526 Wall Avenue, Wilmerding, PA 15148-1444
 14222943 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 14176654 +Macy's, PO Box 78008, Phoenix, AZ 85062-8008
 14176655 +Mary Tressler, 252 Knickerbocker Drive, Pittsburgh, PA 15235-4727
 14176656 +NTB/Citibank, PO Box 9001006, Louisville, KY 40290-1006
 14176657 Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760
 14176658 +Quicken Loans, PO Box 65777, Carol Stream, IL 60197-6577
 14176660 +Slate Chase, PO Box 15153, Wilmington, DE 19886-5153
 14188316 +Springleaf Financial Services of Pennsylvania, Inc, c/o Craig H. Fox, Esquire,
 Fox and Fox Attorneys at Law, P.C., 425 Swede Street, One Montgomery Plaza, Suite 706,
 Norristown, PA 19401-4852
 14176663 The Hempfield Township Municipal Aith, 1145 Woodward Drive, Greensburg, PA 15601
 14176664 +Total Card Inc./Merrick Bank, 5109 S Broadband Lane, Sioux Falls, SD 57108-2208

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14229149 +E-mail/Text: bncmail@w-legal.com Sep 01 2016 10:30:35 CERASTES, LLC,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14176649 +E-mail/Text: roy.buchholz@allianceoneinc.com Sep 01 2016 10:29:15
 Citibank, NA/Sears Mastercard, c/o Alliance One Receivables Management, PO Box 3107,
 Southeastern, PA 19398-3107
 14211277 +E-mail/Text: Hcabankruptcy-courtntices@hcamerica.com Sep 01 2016 10:31:02
 Hyundai Capital America DBA, Hyundai Motor Finance, PO Box 20809,
 Fountain Valley, CA 92728-0809
 14176651 +E-mail/Text: Hcabankruptcy-courtntices@hcamerica.com Sep 01 2016 10:31:02
 Hyundai Motor Finance, PO Box 650805, Dallas, TX 75265-0805
 14243898 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 01 2016 10:35:43
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14176659 +E-mail/Text: bankruptcyteam@quickenloans.com Sep 01 2016 10:30:51 Quicken Loans,
 1050 Woodward Avenue, Detroit, MI 48226-1906
 14182091 E-mail/PDF: cbp@springleaf.com Sep 01 2016 10:25:04 SPRINGLEAF FINANCIAL SERVICES,
 PO BOX 3251, EVANSVILLE, IN 47731
 14176661 E-mail/PDF: cbp@springleaf.com Sep 01 2016 10:25:04 Springleaf Financial, PO Box 742536,
 Cincinnati, OH 45274
 14176662 +E-mail/PDF: gecsed@recoverycorp.com Sep 01 2016 10:26:14 Synchrony Bank/JC Penney,
 PO Box 960090, Orlando, FL 32896-0090
 14228690 +Fax: 866-311-5818 Sep 01 2016 10:33:49 Systems & Services Technologies, Inc.,
 4315 Pickett Road, Bankruptcy Department, St. Joseph, Missouri 64503-1600

TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Quicken Loans Inc.

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2016

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 32

Date Rcvd: Aug 31, 2016

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 30, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Quicken Loans Inc. agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
Craig H. Fox on behalf of Creditor Springleaf Financial Services of Pennsylvania, Inc.
cfox@foxandfoxlaw.com, bankruptcy@foxandfoxlaw.com;foxandfoxattorneysatlaw@gmail.com
Kenneth M. Steinberg on behalf of Debtor Dorothy E. Murphy julie.steidl@steidl-steinberg.com,
kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Michael J. Graml on behalf of Creditor Springleaf Financial Services of Pennsylvania, Inc.
mattorney@neo.rr.com, mjgraml@verizon.net
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6